

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

-vs-

Plaintiff,

JEREMY JAY GULLETT,

Defendant.

**Case No. 4:19-CR-06017-SAB
CRIMINAL MINUTES**

DATE: OCTOBER 4, 2019**LOCATION: YAKIMA****EVIDENTIARY HEARING**

Hon. STANLEY A. BASTIAN		
Erin R. Sinclair	03	Lynette F. Walters
Courtroom Deputy	Law Clerk	Court Reporter
Benjamin D. Seal	Paul E. Shelton	
Government's Counsel	Defendant's Counsel	
United States Probation Officer: No appearance		

☒ **Open Court**☐ **Chambers**☐ **Telecon**

Preliminary comments by the Court.

Mr. Shelton presented the defendant's **Motion to Seal (ECF No. 34)**. Government did not object. Mr. Shelton confirmed that he doesn't anticipate the sealed information will come up in court today. **Court took the matter under advisement.**

Mr. Seal presented six stipulated facts to the Court: (1) there was a valid arrest warrant, (2) detective observed and recognized the defendant, (3) defendant was arrested, (4) detective called for K-9 search of the vehicle, (5) warrant obtained based on K-9 alert in the vehicle, and (6) vehicle search based on warrant. Both counsel presented argument as to the six stipulated facts and the necessity for testimony from the K-9 Officer. **Court will take the matter under advisement and rule on the legal issue before proceeding with Defendant's Motion to Suppress (ECF No. 26).**

2:16 p.m. Direct examination of Government's sworn witness, **Keith Schwartz** by Mr. Seal; cross examination by defense counsel; re-direct by Mr. Seal. 2:50 p.m. witness excused.

2:51 p.m. Direct examination of Government's sworn witness, **Elizabeth Grant** by Mr. Seal; cross examination by defense counsel; 3:07 p.m. witness excused.

3:08 p.m. Direct examination of defendant's sworn witness, **Isaac Merkl** by Mr. Shelton; no cross-examination. 3:19 p.m. witness excused.

[X] ORDER FORTHCOMING

CONVENED: 1:34 P.M.

ADJOURNED: 3:25 P.M.

TIME: 1 HR. 51 MINS.

CALENDARED [N/A]

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Mr. Shelton presented argument regarding the information tips regarding the defendant that were given to Kennewick Police Officers by other criminal offenders. Government response and argument by Mr. Seal.

Court took the matter under advisement.

Defense counsel shall file any supplemental briefing by 10/11/2019; Government response by 10/18/2019.

The October 28, 2019 (2 days) trial date will be reschedule.